UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,724	01/14/2000	Sharon S. Liu	5437-112	8756

			EXAMINER
29989	7590	12/12/2005	TRUONG, THANHNGA B

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ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/483,724	LIU ET AL.
		Examiner	Art Unit
		Thanhnga B. Truong	2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

   A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09/12/2005 (Amendment)*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-22,24-43 and 45-66* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-22,24-43 and 45-66* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 January 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *10/17/05*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Applicant's amendment filed on September 12, 2005 has been entered. Claims 1, 3-22, 24-43, and 45-66 are pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-16, 22-37 and 43-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elgamal et al (US 6,389,534 B1), and further in view of Guheen et al (US 6,615,166 B1).

With respect to Claim 1, the limitation "receiving a request from the application for a customized implementation of a service" is met on column 4, lines 15-23.

The limitation "determining a set of zero or more restrictions to be imposed upon said customized implementation" is met on column 3, lines 50-58.

The limitation "dynamically constructing said customized implementation, said customized implementation incorporating said restrictions, and comprising enforcement logic for enforcing said restrictions; and providing said customized implementation to the application" is met on column 3, lines 40-45.

Although Elgamal et al teaches the claimed subject matter, Elgamal is silent about "wherein said customized implementation is invocable by the application without further interaction with the framework." This limitation is met by Guheen on column 43, lines 54-67. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the teaching of Guheen into Elgamal's system to conveying information regarding a web architecture framework and more particularly to demonstrating priority among components of a system that are required for implementation of technology. The ordinary skilled person would have been motivated to to combine the teaching of Guheen into Elgamal's system since a person

can absorb and manipulate information placed in a visual or graphical context much faster than if the same information is represented merely by alphanumeric text or conveyed verbally. The person is also much more likely to retain that information. However, a balance must be maintained between presenting information in a manner so as to be more likely to be retained by the viewer and keeping the graphic presentation simple enough to be easily and quickly comprehended (column 1, lines 23-31 of Guheen).

With respect to Claim 3, the limitation "wherein the system further comprises a general implementation for said service, wherein said general implementation is unrestricted, and wherein said customized implementation further incorporates said general implementation" is met on column 5, lines 39-42.

With respect to Claim 4, the limitation "wherein said enforcement logic enforces said restrictions on said general implementation" is met on column 5, lines 29-39.

With respect to Claim 5, the limitation "wherein said enforcement logic is invoked upon initialization of said customized implementation" is met on column 5, lines 3-8 and column 4, lines 15-23.

With respect to Claim 6, the limitation "wherein said enforcement logic, when invoked receives a set of desired parameters from the application determines whether the desired parameters exceed said restrictions; and in response to a determination that the desired parameters exceed said restrictions, preventing said customized implementation from operating" is met on column 5, lines 29-39.

With respect to Claim 7, the limitation "wherein said service is an encryption/decryption service, and wherein said enforcement logic, when invoked

determines whether a particular exemption mechanism has been invoked; and in response to a determination that the particular exemption mechanism has not been invoked, preventing said customized implementation from operating" is met on column 6, lines 19-29.

With respect to Claim 8, the limitation "wherein determining the set of zero or more restrictions comprises accessing information specifying one or more limitations;

and processing said limitations to derive said restrictions" is met on column 6, lines 23-31.

With respect to Claim 9, the limitation "wherein said service is an encryption/decryption service, and wherein said information comprises a set of one or more default encryption limitations" is met on column 6, lines 16-22.

With respect to Claim 10, the limitation "wherein said default encryption limitations are derived by merging multiple jurisdiction policies and extracting therefrom the most restrictive encryption limitation" is met on column 3, lines 55-58.

With respect to Claim 11, the limitation "wherein determining the set of zero or more restrictions comprises   accessing information specifying one or more limitations determining permissions, if any, granted to the application; and reconciling said limitations and said permissions to derive said restrictions" is met on column 6, lines 16-29.

With respect to Claim 12, the limitation "wherein said limitations and said permissions are reconciled to derive restrictions which are least restrictive" is met on column 6, lines 16-29 and column 9, lines 51-56.

With respect to Claim 13, the limitation "wherein said service is an encryption/decryption service, and wherein said information comprises a set of one or more default encryption limitations, and a set of zero or more exempt encryption limitations which apply when one or more exemption mechanisms are implemented" is met on column 6, lines 23-31.

With respect to Claim 14, the limitation "wherein said default encryption limitations and said exempt encryption limitations are derived by merging multiple jurisdiction policies and extracting therefrom the most restrictive encryption limitations" is met on column 3, lines 55-58.

With respect to Claim 15, the limitation "wherein reconciling said limitations and said permissions comprises determining whether the application has been granted any permissions; and in response to a determination that the application has not been granted any permissions, deriving said restrictions from said set of default encryption limitations" is met on column 9, lines 46-51.

With respect to Claim 16, the limitation "wherein reconciling said limitations and said permissions comprises determining whether the application has been granted any permissions which require implementation of a particular exemption mechanism; in response to a determination that the application has been granted a permission which requires implementation of a particular exemption mechanism determining whether said exempt encryption limitations allow said particular exemption mechanism to be implemented; and in response to a determination that said exempt encryption limitations allow said particular exemption mechanism to be implemented, deriving said restrictions from said set of exempt encryption limitations" is met on column 7, lines 6-15.

With respect to Claims 22 and 43, its limitation is similar to Claim 1 limitation and hence its rejection can be found above.

With respect to Claims 24 and 45, its limitation is similar to Claim 3 limitation and hence its rejection can be found above.

With respect to Claims 25 and 46, its limitation is similar to Claim 4 limitation and hence its rejection can be found above.

With respect to Claims 26 and 47, its limitation is similar to Claim 5 limitation and hence its rejection can be found above.

With respect to Claims 27 and 48, its limitation is similar to Claim 6 limitation and hence its rejection can be found above.

With respect to Claims 28 and 49, its limitation is similar to Claim 7 limitation and hence its rejection can be found above.

With respect to Claims 29 and 50, its limitation is similar to Claim 8 limitation and hence its rejection can be found above.

With respect to Claims 30 and 51, its limitation is similar to Claim 9 limitation and hence its rejection can be found above.

With respect to Claims 31 and 52, its limitation is similar to Claim 10 limitation and hence its rejection can be found above.

With respect to Claims 32 and 53, its limitation is similar to Claim 11 limitation and hence its rejection can be found above.

With respect to Claims 33 and 54, its limitation is similar to Claim 12 limitation and hence its rejection can be found above.

With respect to Claims 34 and 55, its limitation is similar to Claim 13 limitation and hence its rejection can be found above.

With respect to Claims 35 and 56, its limitation is similar to Claim 14 limitation and hence its rejection can be found above.

With respect to Claims 36 and 57, its limitation is similar to Claim 15 limitation and hence its rejection can be found above.

With respect to Claims 37 and 58, its limitation is similar to Claim 16 limitation and hence its rejection can be found above.

4.   Claims 17-21, 38-42 and 59-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elgamal (US 6,389,534 B1), further in view of Guheen et al (US 6,615,166 B1), and further in view of Schell et al (US 5,933,503).

With respect to Claim 17, Elgamal meets all the limitation except that of a wrapper object being implemented and a dynamic implementation being utilized.

The limitation "wherein the system further comprises a general implementation for said service, and wherein dynamically constructing said customized implementation comprises" is met by Schell on column 6, lines 36-39.

The limitation "instantiating the general implementation to give rise to a general implementation instance instantiating a wrapper object; and encapsulating said general implementation instance and said restrictions within said wrapper object to derive said customized implementation" is met by Schell on column 8, lines 6-10.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Schell within the system of Elgamal so as to make the system tamper proof.

With respect to Claim 18, Elgamal meets all the limitation except that of a wrapper object being implemented.

The limitation "wherein said wrapper object comprises one or more invocable methods, wherein said general implementation instance comprises one or more invocable methods, and wherein encapsulating comprises mapping one or more of the

invocable methods of said wrapper object to one or more of the invocable methods of said general implementation instance" is met by Schell on column 9, lines 32-35 and 46-55.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Schell within the system of Elgamal so as to make the system tamper proof.

With respect to Claim 19, Elgamal meets all the limitation except that of the wrapper object being implemented.

The limitation "wherein said wrapper object comprises initialization logic for enforcing said restrictions on said general implementation instance" is met by Schell on column 9, lines 42-45.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Schell within the system of Elgamal so as to make the system tamper proof.

With respect to Claim 20, Elgamal meets all the limitation except that of an initialization logic being invoked.

The limitation "wherein said initialization logic is invoked prior to allowing any of the invocable methods of said general implementation instance to be invoked" is met by Schell on column 9, lines 36-41.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Schell within the system of Elgamal so as to initialize the system.

With respect to Claim 21, Elgamal meets all the limitation except the limitation described in Claim 21.

The limitation "instantiating an exemption mechanism to give rise to an exemption mechanism instance and encapsulating said exemption mechanism instance within said wrapper object" is met by Schell on column 8, lines 6-20.

It would have been obvious to one of ordinary skill in the art to combine the teachings of Schell within the system of Elgamal so as to prevent an external attacker from gaining knowledge of what is contained within the system.

With respect to Claims 38 and 59, its limitation is similar to Claim 17 limitation and hence its rejection can be found above.

With respect to Claims 39 and 60, its limitation is similar to Claim 18 limitation and hence its rejection can be found above.

With respect to Claims 40 and 61, its limitation is similar to Claim 19 limitation and hence its rejection can be found above.

With respect to Claim 41 and 62, its limitation is similar to Claim 20 limitation and hence its rejection can be found above.

With respect to Claim 42 and 63, its limitation is similar to Claim 21 rejection and hence its rejection can be found above.

5.   Claims 64-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elgamal (US 6,389,534 B1), and further in view of Guheen et al (US 6,615,166 B1) and Fieres et al (US 6,148,083).

With respect to Claims 64-66, the claimed subject matter is met by both Elgamal and Guheen. The limitation of a framework comprising Java Cryptography Extension to Java Platform is also met by Guheen on column 74, lines 1-9 and by Fieres on column 4, lines 49-67 through column 5, lines 1-6.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Guheen and Fieres within the system of Elgamal because the Java platform provides a uniform programming interface to a 100% Pure Java program regardless of the underlying operating system. The ordinary skilled person would have been motivated to combine the teaching of Guheen and Fieres into Elgamal's system since an application which requests cryptographic services from various service elements within an international cryptography framework is identified through a certificate to protect against the misuse of a granted level of cryptography (Fieres' abstract).

Response to Argument

6.   Applicant's arguments filed September 12, 2005 have been fully considered but they are not persuasive.

Applicant argues that:

Neither Elgamal nor Guheen discloses, teaches, or suggests the limitation "wherein said customized implementation is invocable by the application without further interaction with the framework" as contained in Claim 1. Therefore, even assuming, arguendo, that it would have been obvious to combine Elgamal and Guheen, the combination of Elgamal and Guheen still fails to teach or suggest this limitation. Accordingly, Claim 1 is patentable over Elgamal and Guheen, taken individually or in combination.

Examiner disagrees with the applicant and still maintains that:

Guheen in combining with Elgamal teach the claimed subject matter. From previous rejection cited by examiner on column 43, lines 54-67 of Guheen, by letting designers create data elements, the customized implementation is introduced, since the designers could create/modify to implement their application/program without being interfere/interact with the framwork. Furthermore, Guheen teaches a system and method are provided for prioritizing components of an existing network framework. First, a plurality of components required for implementation of a predetermined technology using an existing network framework are provided. Next, a priority listing of the components is complied such that the relative position of the components on the priority listing corresponds to a temporal priority among the components (column 2, lines 1-10 of Guheen). In addition, Guheen discloses class libraries are very flexible. As programs grow more complex, more programmers are forced to reinvent basic solutions to basic problems over and over again. A relatively new extension of the class library concept is to have a framework of class libraries. This framework is more complex and consists of significant collections of collaborating classes that capture both the small scale patterns and major mechanisms that implement the common requirements and design in a specific application domain (column 30, lines 18-26 of Guheen).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in

the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the combination of teaching between Elgamal and Guheen; Elgamal, Guheen, and Schell; and Elgamal, Guheen, and Fieres are sufficient.

Elgamal, Guheen, Schell, and Fieres do not need to disclose anything over and above the invention as claimed in order to render it unpatentable or anticipate. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claimed limitations.

For the above reasons, it is believed that the rejections should be sustained.

Conclusion

7.   Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and

phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Primary Examiner
Art Unit 2135

TBT
November 21, 2005